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Reply to Office Action of: 04/12/2004

REMARKS/ARGUMENTS

Claims 1-19 remain in this application. Claims 1, 18-20 have been amended: Claims 18-20 have been amended to reflect the Examiner's renumbering to 17-19. Claim 1 has been amended to make clear that the plurality of openings, and the adhesive, are disposed in and on, respectively, the flexible sheet. Claim 1 has also been amended to indicate that the cable keeper is comprised of a single sheet. The amendment is clearly supported by the drawings (e.g. FIGS. 3, 6-8), which indicate only a single sheet for the cable keeper.

Claims 1-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 4,579,310 to Wells in view of U.S. Patent 4,025,015 to Kolie.

The Examiner asserts that Wells discloses all of the limitations of Applicant's invention with the exception that Wells does not disclose the limitation of an adhesive disposed on the sheet for attaching the cable keeper to an object and wherein the adhesive is an adhesive tape.

Applicant respectfully disagrees and traverses the rejection. The Examiner contends that Wells discloses, inter alia, a cable keeper comprising a sheet of flexible material. Applicant submits that it is clear from Figures 1-5 of Wells that the cable organizing device of Wells is not comprised of a sheet of flexible material. For example, Figure 3 shows that the tabs (12) have a significant vertical dimension (thickness) in addition to their length and width extending from the backplane (what Wells refers to as the "strip"). Figure 4 also illustrates the tab thickness and further shows a backplane, or strip, having considerable thickness, relative to its other dimensions, enough so that an opening (34) may be formed in the strip and which opening extends only partially through the thickness of the strip. See column 3, lines 30-33, wherein Wells refers to a cavity (50) formed on an "opposite side" of the strip for receiving an anchor base.

Webster's Ninth New Collegiate Dictionary (copyright 1986 by Merriam-Websters, Inc.) defines "sheet" as "...a portion of something that is thin in comparison with its length and breadth". It is clear from the common meaning of the word "sheet",

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and the use thereof by Applicant (see, for example, FIG. 4 of Applicant's disclosure showing the sheet from an edge view), that Wells does not disclose or fairly suggest a cable keeper (organizer) comprising a sheet of flexible material, the sheet of material having openings adjacent an edge of the material, nor would one of ordinary skill in the art draw such a conclusion, either by referencing the drawings or the text of Wells.

In addition, Wells attributes flexibility only to tabs (12), hook (30), and barbs (46,48). FIGS. 1, 4 and 5 show that tabs (12), hooks (30) and barbs (46, 48), although described as flexible, are also not sheets. Applicant therefore asserts that the Examiner has failed to make a prima facie case of obviousness.

Claims 1 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent 6,375,017 to Schattner in view of U.S. Patent 4,025,015 to Kolie.

The Examiner argues that Schattner discloses a cable keeper having all of the limitations of Applicant's invention with the exception of an adhesive disposed on at least one of the sheets for permanently attaching the cable keeper to an object.

Applicant respectfully disagrees. Applicant first contends that Schattner represents non-analogous art in that one of ordinary skill in the art would not be motivated to search the art of tubing organizers for organizing pliable tubing (e.g. IV tubes) in the medical field to solve the problem of organizing wires/cables in a computer environment.

Second, there is no suggestion or motivation to combine Kolie with Schattner in order to arrive at placing an adhesive on the organizer of Schattner for permanently affixing the organizer to an object. Indeed, in all embodiments but two disclosed by Schattner, the tubing organizer is described – and shown – as being rotatably mounted. The organizer disclosed by Schattner in Figure 17 is described in column 7, lines 20-50. The organizer of Figure 17 rather than being rotatably mounted to the support structure of the other embodiments, is said to be "particularly suitable for resting on a horizontal surface without the need for a support structure" (see also column 5, lines 7-9). Thus, Wells never intended for the tubing organizer to be permanently affixed, which would inherently defeat the movable nature of the organizer. This is particularly evident by

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referring directly to Figure 17 indicating the organizer resting on a surface along an edge of the organizer. Indeed, the organizer of FIG. 17 would require being movable in order to utilize the opening resting against the table. The description of the embodiment depicted by Figure 18, found in column 7, lines 51-67 and column 8, lines 1-10, makes no mention of mounting the organizer. Moreover, the organizer is shown with a hole at central axis "c", identical to hole 46 shown in other embodiments, wherein hole 46 is for the purpose of rotatably mounting the organizer. It is suggested by Schattner that the embodiment depicted in FIG. 12-16, showing a straight mounting element, may be positioned between mattresses, also not a permanent mounting method. Clearly, one of ordinary skill in the art would conclude that the organizer of Wells, when considered as a whole, is not intended for permanent mounting. To otherwise reach the conclusion that Schattner could be modified for permanent attachment would require impermissible hindsight knowledge of Applicant's invention (notwithstanding the fact that merely because references "can" be combined is not sufficient to establish prima facie obviousness).

Even assuming that the mounting portion (16, 216, 316) of Schattner's organizer represents a sheet which "can" be affixed to an object with an adhesive, this sheet does not also comprise openings as described in Applicant's claim 1. Applicant therefore argues that the Examiner has failed to make a prima facie case of obviousness.

Claims 18 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wells combined with Kolie and in further view of U.S. Patent 4,693,935 to Mazurek.

The Examiner contends that the combination of Wells and Kolie disclose all of the limitations of Applicant's invention with the exception of the adhesive strength of the adhesive. Applicant respectfully disagrees and traverses the rejection. Applicant submits that for at least the reasons given above with respect to Wells and Kolie, the Examiner has failed to make a prima facie case of obviousness. Mazurek does not cure the deficiencies of Wells and Kolie.

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Based upon the above amendments, remarks, and papers of records, Applicant believes the pending claims of the above-captioned application are in allowable form and patentable over the prior art of record. Applicant respectfully requests that the amendments be entered and a timely Notice of Allowance be issued in this case.

Applicant believes that no extension of time is necessary to make this Reply timely. Should Applicant be in error, Applicant respectfully requests that the Office grant such time extension pursuant to 37 C.F.R. § 1.136(a) as necessary to make this Reply timely, and hereby authorizes the Office to charge any necessary fee or surcharge with respect to said time extension to the credit card number as indicated on the accompanying form PTO-2038.

Please direct any questions or comments to Kevin M. Able at 607-974-2637.

Respectfully submitted,

DATE: 7/7/04

Agent for Assignee Reg. No. 52,401 2825 Hickock Road Corning, NY 14830

607-937-4235



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sheath 2: to plunge or bury (as a sword) in flesh 3: to withdraw (a claw) into a sheath 4: to case or cover with something (as sheets of metal) that protects — sheather \sheather, \text{thr}, \text{thr}, \text{rhr}\ n \text{sheather}, \text{thr}\ n \text{ thr}\ n \text{ thr}

house or on a timber roof sheath knife n (1837): a knife having a fixed blade and designed to be

carried in a sheath shea tree 'shē, 'shā\ n [Bambara si] (1799): a tropical African tree (Butyrospermum parkii) of the sapodilla family with fatty nuts that yield shea butter

yield shea butter Isheave '\shiv,' shēv\ n [ME sheve; akin to OE scēath sheath] (14c): a grooved wheel or pulley (as of a pulley block) Isheave '\shēv\ n' sheaved; sheaving [sheaf] (ca. 1598): to gather and bind into a sheaf

*Sheave \'shev\ vr sheaved; sheaving [sheaf] (ca. 1598): to gather and bind into a sheaf she-bang \shi-ban\ n [perh. alter. of shebeen] (ca. 1895): CONTRIVANCE. AFFAIR. CONCERN (in charge of the whole ~)

She-bat \sha-'ban\ n. [perh. alter. of shebeen] (ca. 1769): the 5th month of the civil year or the 11th month of the ecclesiastical year in the Jewish calendar — see MONTH table she-been \sha-'ben\ n [IrGael sibin bad ale] chiefly Irish (1787): an unlicensed or illegally operated drinking establishment She-chi-nah \sha-'kē-na, -'kē-na, -'ki-na\ n [Heb shēkhināh] (1663): the presence of God in the world as conceived in Jewish theology | shed \'shed\ vb shed; shed-ding [ME sheden to divide, separate, fr. OE scēadan; akin to OHG skeidan to separate, L scindere to cut, split, Gk schizein to split] w (bef. 12c) 1 chiefly dial: to set apart: SEGREGATE 2: to cause to be dispersed without penetrating (duck's plumage ~swater) 3 a: to cause (blood) to flow by cutting or wounding b: to pour forth in drops (~ tears) c: to give off in a stream (fish shedding on this subject) 4 a (1): to cast off (as a body covering): MOLT (2): to let fall (as leaves) (3): to eject (as seed or spores) from a natural receptacle b: to rid oneself of temporarily or permanently as superfluous or unwanted ~ vi 1: to pour out: spit. 2: to become dispersed: SCATTER 3: to cast off some natural covering (the cat is shedding) syn see DISCARD — shed blood: to cause death by violence 'shed n (bef. 12c) 1 obs: DISTINCTION. DIFFERENCE 2: something (as the skin of a snake) that is discarded in shedding 3: a divide of land 'shed n [alter. of earlier shadde, prob. fr. ME shade] (15c) 1 a: a slight structure built for shelter or storage; esp: a single-storied building with one or more sides unenclosed b: a building that resembles a shed vs shed-ded, shed-ding (1850): to put or house in a shed shed vs shed-ded, shed-ding (1850): to put or house in a shed shed vs shed-ded, shed-ding (1850): to put or house in a shed

ing with one or more sides unenclosed b: a building that resembles a shed 2 archaic: HUT shed vr shed-ded; shed-ding (1850): to put or house in a shed she'd \(\), she'd \: she had: she would she'd \(\) she'd \: she had: she would she'd \(\) she'd \: she in a rewly molted crab shed dormer n (1948): a dormer with a roof sloping in the same direction as the roof from which the dormer projects 'sheen \'shen \'adj \[ME shene, fr. OE sciene, akin to OE sceawian to look \)— more at SHOW \[\) (bef. 12c) 1 archaic: BEAUTIFUL 2 archaic: SHIN-ING, RESPLENDENT 'sheen vi (14c): to be bright: show a sheen

ING, RESPLENDENT

Sheen vi (14c): to be bright: show a sheen

sheen vi (1602)

a: a bright or shining condition: BRIGHTNESS b

a subdued glitter approaching but short of optical reflection c: a
lustrous surface imparted to textiles through finishing processes or use
of shiny yarns

2: a textile exhibiting notable sheen — sheeny \she-

në\adi sheep \shëp\n, pl sheep often attrib [ME. fr. OE scëap: akin to OHG scaf sheep] (bef. 12c) 1: any of numerous ruminant mammals (genus Ovis) related to the goats but stockier and lacking a beard in the male; specif: one (O. aries) long domesticated esp. for its flesh and wool 2 a: a timid defenseless creature b: a timid docile person; esp: one easily influenced or led 3: leather prepared from the skins of sheep

cashy influenced of feat 3. Teather prepared from the same of safety sheep-ber-ry \, ber-e\ n (ca. 1814): an often shrubby No. American viburnum (Viburnum lentago) with white flowers in flat cymes sheep-cote \, kôt, \, kât\ n, chiefly Brit (15c): SHEEPFOLD sheep-dip \, dip\ n (1865): a liquid preparation of toxic chemicals into which sheep are plunged esp. to destroy parasitic arthropods sheep-dog \, dog\ n (1774): a dog used to tend, drive, or guard sheep sseep fescue n (1945): a hardy fine-foliaged European perennial grass (Festuca ovina) widely used as a lawn grass sheep-fold \sheep-fold\ n (15c): a pen or shelter for sheep sheep-herd-er\ shep-hard-ar\ n (ca. 1871): a worker in charge of sheep esp. on open range sheep-herd-ing \, hard-ar\ n (1891): the activities of a worker engaged in tending sheep

sheep-left (hg) $\langle nata | n \rangle$ (13c) 1: resembling a sheep in meckness, stupidity, or timidity 2: embarrassed by consciousness of a fault $\langle a \sim look \rangle$ — sheep-ish-ly adv — sheep-ish-less n sheep ked $\langle n \rangle$ [sheep + $ked \rangle$ (sheep hed), of unknown origin (1925): a wingless bloodsucking dipterous fly (Melophagus ovinus) that feeds chiefly on sheep and is a vector of sheep trypanosomiasis — colled also sheep tick

that reeds chiefly on sheep and is a vector of since it spansormer called also sheep tick sheep laurel n (1810): a No. American dwarf shrub (Kalmia angustifolia) that is poisonous to young stock and resembles mountain laurel but has narrower leaves and smaller bright red flowers — called also lambkill

sheep's eye n (1529): a shy longing usu. amorous glance — usu. used in

sheep's eye n (1529): a sny longing usu. amorous giante — usu. used in pl. sheep-shank \shēp-shank \n (ca. 1627) 1: a knot for shortening a line — see KNOTillustration 2 Scot: something of no worth or importance sheeps-head \shēps-,hed\n (1643) 1: a marine percoid food fish (Archosarqus probatocephalus of the family Sparidae) of the Atlantic and Gulf coasts of the U.S. with broad incisor teeth. 2: FRESHWATER DRUM 3: a common largely red or rose California wrasse (Semicossyphus pulcher) sheep-shear-er \shēp-shir-or\n (1539): one that shears sheep sheep-shear-ing \shēp-shirlor-in\n (1607) 1: the act of shearing sheep 2: the time or season for shearing sheep

sheep-skin \, skin\ n (13c) 1 a: the skin of a sheep; also: leather prepared from it b: PARCHMENT c: a garment made of or lined with sheepskin 2: DIPLOMA sheep sorrel n (1807): a small acid dock (Rumex acetosella) the sheep walk n'. chiefly Brit (1586): a pasture or range for sheep sheep \, sheep walk n'. chiefly Brit (1586): a pasture or range for sheep \, sheep \, sheep \, sheep'shi(a)r\ adj [ME schere freed from guilt, prob. alter. of skere it \, ON skerr pure; skin to OE scinan to shine] (1568) 1 obs: BRIGHT, SHINING 2: of very thin or transparent texture: DIAPHANOUS \, 31 a \, UNQUALIFIED. UTTER \(< \) folly\(< \) (comportance) b: being free from a dulterant: PURE UNMIXED c: viewed or acting in dissociation from all else (won through by \(< \) determination\) 4: marked by great steepness \(sys. \) see STEEP \(= \) sheer-ly \(adv = \) sheer-ness \(n \) sheer \(average \) (1600) 1: in a complete manner: ALTOGETHER 2: straight up or down without a break: PERPENDICULARLY \(\) sheer \(n \) (200): a sheer fabric; \(also: \) a garment of such a fabric \(\) sheer \(v \) by [perh. alter. of \(\) shear) \(v \) (1635): to deviate from a course \(\) (1800): to assee the second or change in a course \(\) (2000).

**SWERVE ~ vt : to cause to sheer

*sheer n (1670) 1 : a turn, deviation, or change in a course (as for ship) 2 : the position of a ship riding to a single anchor and heading toward it

saeer in (va. 1920): a sneer taonc: atso; a garment of such a fabric ther sheer w (fiet) 1: a turn, deviation, or change in a course (as other sheer n (for) 1: a turn, deviation, or change in a course (as other sheer) (for) 1: a turn, deviation, or change in a course (as other sheer) (for) 1: a turn, deviation, or change in a course (as other sheer) (for) 1: a turn, deviation or a single anchor and heading sheer leng sheer) (as other leng sheer) (as other leng sheer) (as other leng sheer) (as other leng) (as other leng)

outer covering of an egg esp.
covering or outside part of a
shell material (as of mollus)
thing that resembles a shell:
egp: a building with an uni
outside covering (the ~ of
(mere effigies and ~ so fine
for of of that is used pril
glass 5: a thin hard layer
: an impersonal attitude or
sence of feeling 8: a narrc
more persons pulling oars or
the orbits of a group of elect
rounding the nucleus of an at
taining an explosive bursting
holds the charge of powder at
gmall arms 11: a plain usu
shelly \(\frac{1}{3}\)shell w(\frac{1}{3}\)for \(\frac{1}{2}\) and
shell husk, pod, or capsule)
of (as an ear of Indian corn.
2; to throw shells at, upon,
against (as an opposing pitch
effin thin pieces 2: to cast

of (as an ear of Indian corn. '2: to throw shells at, upon, against (as an opposing pitch off in thin pieces 2: to cast the pod or husk (nuts which a beach): collect shells will help a collect shells hell (), she'all (), shill : she will help a consider a consideration of the consi

com)
shell-er\n (1694) 1
that collects seashells
shell-fish _fish\n (bef. 12c)
shell, ep: an edible mollusk
thell-fish-ery _fish-(o-)rē\n (
tion of shellfish

tion of shellfish
thell game n (1890) 1: thimt
2: FRAUD; esp: a swindle in
little or no value for a valuable
thell jacket n (1840) 1: a she
thell front 2: MESS JACKET
thell out by (1801): PAY
thell pink n (1887): a variable
thell proof \shell-pr\(\text{in}\) \tag{c} d (c
bombs

shell shock n (1916): any of r

conditions appearing in soldie mell-shocked adj (1918) 1: confused, upset, or exhausted thell steak n (1971): the part

mell-shocked adj (1918) 1:

mell-shocked adj (1918) 1:

confused, upset, or exhausted

mell steak n (1971): the part

tenderloin

mell-work \shiel-,work\n (ca.

posed of a pattern of shells

posed of a pattern of shells

melleter \shiel-tar\n [origin

covers or affords protection (coloris)

covers or affords protection (coloris)

melter better of protection (coloris)

melter shelter or protection (coloris)

melter shelter or protection (coloris)

melter helt \shel-tar-,belt\n n

protects (as crops) from wind

melter helt \shel-tar-,belt\n n

motest (as crops) from wind

melter helf \shel-tar-,belt\n n

motest (as crops) from wind

melter helf \shel-tar-,belt\n n

motest (as crops) from wind

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